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9 UNITED STATES BANKRUPTCY COURT  
10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 In re  
12  
13 THE LITIGATION PRACTICE GROUP P.C.,  
14 Debtor.  
15  
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Case No: 8-23-bk-10571-SC

Chapter 11

STIPULATION TO DISALLOW THE  
CLAIM OF MPOWERING LLC, CLAIM  
NOS. 311-1 and 311-2

18 TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY JUDGE,  
19 THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

20 This Stipulation (“Stipulation”) is entered into by and between Richard A. Marshack,  
21 Chapter 11 Trustee for the bankruptcy estate (“LPG Estate”) of the Litigation Practice Group P.C.  
22 (“LPG”) and liquidating trustee of the LPG Liquidation Trust (collectively, “LPG Trustee”), and  
23 Lenard E. Schwartzer, in his capacity as Chapter 7 Trustee (“MPA Trustee” and together with LPG  
24 Trustee, “Parties”) of the Bankruptcy Estate (“MPA Estate”) of MPowering America LLC (“MPA”)  
25 with regard to the following:  
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**RECITALS**

A. On March 20, 2023, LPG filed a voluntary petition under Chapter 11 of Title 11 of the United States Code, initiating bankruptcy Case No. 8:23-bk-10571-SC<sup>1</sup> in the United States Bankruptcy Court for the Central District of California, Santa Ana Division.

B. On May 8, 2023, Richard A. Marshack was appointed as the Chapter 11 Trustee of the LPG Estate. LPG Docket No. 65.

C. LPG operated a law firm that allegedly provided consumer debt resolution services servicing more than 50,000 customers across the United States.

D. MPA was one of the marketing companies that procured clients for LPG based on a series of affiliate agreements ("Affiliate Agreements").

E. On August 23, 2023, MPA filed a Proof of Claim in the amount of \$541,945.67 against the LPG estate. Claim No. 311-1.

F. On September 8, 2023, MPA filed an amended POC in the amount of \$2,755,179.58. Claim No. 311-2.

G. MPA alleged in its POC that LPG owes it a priority claim in the amount of \$1,432,693.38 under 11 U.S.C. §507(a) and an unsecured claim in the amount of \$1,322,486.20. Claim No. 311-2. Claim No. 311-1 and 311-2 are, collectively referred to as the "POC."

H. On August 23, 2024, LPG Trustee initiated an adversary proceeding against MPA, seeking to avoid, recover and preserve actual and constructive fraudulent transfers, seeking to avoid, recover and preserve preferential transfers, seeking turnover of fraudulent and preferential transfers, and objecting to the POC. LPG Docket No. 1535, initiating Case No. 8:24-ap-01115-SC ("MPA Adversary").

I. Instead of filing an answer in the MPA Adversary, on October 11, 2024, MPA filed a voluntary petition under Chapter 7 of Title 11 of the United States Code, initiating bankruptcy Case

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<sup>1</sup> Docket entries in the 8:23-bk-10571-SC case are hereby referenced as LPG Docket No. X.

No. 2:24-bk-15330-NMC<sup>2</sup> in the United States Bankruptcy Court for the District of Nevada,  
currently staying the MPA Adversary. MPA Docket No. 1.

J. On October 11, 2024, Lenard E. Schwartz was appointed as the Chapter 7 Trustee  
of the MPA Estate.

K. On October 25, 2024, MPA filed its bankruptcy schedules, listing the LPG Trustee as  
a creditor with a disputed claim of \$450,000 and listing MPA's "[c]laim against Litigation Practice  
Group P.C." in the amount of \$2,755,179.58 as an asset. MPA Docket No. 8.

L. On November 13, 2024, the MPA Trustee held a 341(a) meeting of the creditors  
("341(a) Meeting") in which counsel for LPG Trustee questioned MPA about POC.

M. MPA's answers at the 341(a) Meeting reflected that the POC was inflated, not  
entitled to any priority, and based on unethical and invalid Affiliate Agreement.

WHEREFORE, the Parties stipulate, agree and request that the Court enter an Order as  
follows:

1. The POC (i.e., Claim No. 311-1 and 311-2) is not entitled to priority treatment under  
11 U.S.C. §507(a).

2. The POC (i.e., Claim No. 311-1 and 311-2) will be disallowed in its entirety.

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<sup>2</sup> Docket entries in the 2:24-bk-15330-NMC case are hereby referenced as MPA Docket No. X.

1           3.       This Stipulation may be executed in one or more counterparts, and facsimile or  
2 electronic signatures may be used in filing this document with the Court.

3  
4 DATED: December 26, 2024

MARSHACK HAYS WOOD LLP

5  
6 By: /s/ Aaron E. de Leest

D. EDWARD HAYS

AARON E. DE LEEST

7 ALINA MAMLYUK

8 Attorneys for Chapter 11 Trustee

RICHARD A. MARSHACK

9  
10 DATED: December 26, 2024

11 By:   
LENARD E. SCHWARTZER  
Chapter 7 Trustee

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **STIPULATION TO DISALLOW THE CLAIM OF EMPOWERING LLC, CLAIM NOS. 311-1 AND 311-2** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **January 31, 2025**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:** On \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**DEBTOR – MAIL REDIRECTED TO TRUSTEE**

THE LITIGATION PRACTICE GROUP P.C.  
47542 17TH ST  
SUITE 100  
TUSTIN, CA 92780-1984

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **January 31, 2025**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA PERSONAL DELIVERY:**

**PRESIDING JUDGE'S COPY**

HONORABLE SCOTT C. CLARKSON  
UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C  
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 31, 2025  
Date

Layla Buchanan  
Printed Name

/s/ Layla Buchanan  
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** CONTINUED:

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